



**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

2:10-CR-248-JCM (GWF)

JOSE VENEGAS-SAGASTE, )

Defendant. )

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on December 2, 2011, defendant JOSE VENEGAS-SAGASTE pled guilty to Count One of a Five-Count Criminal Indictment charging him with Conspiracy to Distribute a Controlled Substance in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(viii) and 846.

This Court finds defendant JOSE VENEGAS-SAGASTE agreed to the forfeiture of property set forth in Forfeiture Allegations of the Criminal Indictment.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Criminal Indictment and the offense to which defendant JOSE VENEGAS-SAGASTE pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1), (2)(C), and (3)(B) and Title 28, United States Code, Section 2461(c); Title 21, United States Code, Section 853(a)(1), (a)(2), and (p); and Title 21, United States Code, Section 881(a)(11) and Title 28, United States Code, Section 2461(c):

- (a) a Star Firestar 45, a .45 caliber semiautomatic handgun with serial number 2059799;
- (b) any and all ammunition; and
- (c) an *in personam* criminal forfeiture money judgment of \$12,500.00 in United States Currency ("Property").

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of JOSE VENEGAS-SAGASTE in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following address at the time of filing:

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1 DANIEL D. HOLLINGSWORTH  
2 Assistant United States Attorney  
3 MICHAEL A. HUMPHREYS  
4 Assistant United States Attorney  
Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
6 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
7 following publication of notice of seizure and intent to administratively forfeit the above-described  
8 assets.

9 DATED this 2nd day of Dec., 2011.

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12 UNITED STATES DISTRICT JUDGE  
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